



Attorney Docket No. 3523 P 002

PATENT
A.F.H
JAN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Wilhelm Schwaeble and Robert Braidwood Sim)
Application No.: 09/316,163) Examiner: Marianne DeBrino, Ph.D.
Filed: June 18, 2001 (CPA filing date)) Group Art Unit: 1644
Entitled: COMPLEMENT INHIBITOR)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board from the decision of the Primary Examiner mailed July 23, 2004, rejecting Claims 2, 17-19, 22, 23, 26, 30-32 and 36.

This application is on behalf of:

- other than a small entity.
 a small entity.

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. A Petition for a Three Month Extension of Time, together with a check in the amount of \$510.00 for the extension fee, are submitted herewith to extend the period for reply to January 23, 2005.

Pursuant to 37 C.F.R. § 1.17(e), the \$250.00 fee for filing the Notice of Appeal is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this Transmittal is attached.

Any additional extension and/or fee.

Any additional fee for claims.

The Commissioner is hereby authorized to charge any deficiency in fees to Deposit Account No. 23-0280.

Respectfully submitted,

Date: January 21, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with first class postage prepaid in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 21, 2005.


Natha Conerly
Natha Conerly 217409v1

By:


Monique A. Morneau, Reg. No. 37,893
Wallenstein Wagner & Rockey, Ltd.
311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
(312) 554-3300
Attorneys for Applicants